ORIGINAL

NAVAJO
COMMUNICATIONS
A frontier Citizens Communications Company

N   0000136498

Shipping: 9260 E. Stockton Blvd.
Elk Grove, CA 95624

Arizona Corporation Commission
DOCKETED

MAY 10 2012

DOCKETED BY

May 9, 2012

Docket Control
Tariff Administrator
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007
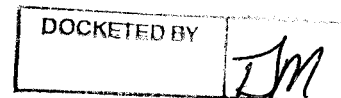
RE: **Navajo Communications Company T-02115A-11-0449 – VoIP-PSTN Traffic -
      Amendment**

Dear Corporation Commissioners and Staff:

Enclosed please find the original and thirteen copies of the amended tariff filing Navajo
Communications Company, for review and approval.

The purpose of this amended filing is to clarify application of interstate and intrastate
rates and to clarify that the PVU factor applies only to intrastate traffic.

AT&T's letter filed on March 21, 2012, asserts that the FCC required the "application of
rates not higher than interstate switched access rates to both originating and terminating
VoIP-PSTN traffic".[1]   AT&T asserts that the PVU factor should be applied only to
intrastate traffic, and that the PVU factor should be applied retroactively to December
29, 2011.

The FCC recently provided clarification that fully resolves AT&T's concerns. *In the
Matter of Connect America Fund*, <u>Second Order on Reconsideration</u> (April 25, 2012),
Para. 30, the FCC provides that intrastate originating access rates apply for originating
intrastate toll VoIP traffic (including traffic that originates in IP, terminates in IP, or both)
until June 30, 2014. In addition, the Order clarifies that interstate rates will apply to
originating access for VoIP-originated traffic for the period of December 29, 2011
through the effective date of the FCC's April 25th Order, which will occur 45 days after
publication of the Order in the Federal Register. Additionally, as stated above, the
amended tariff clarifies application of the PVU factor.

Finally, AT&T argues that Navajo Communications Company should be required to
make a "certification" about whether it offers VoIP services. Navajo Communications
Company does not currently provide retail VoIP services.

The amendment and letter provides the clarity necessary to approve Navajo
Communications Company's tariffs.

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[1] Letter from Sharon Mullin, Director AT&T Services to Arizona Corporation Commission Docket Control
(March 21, 2012).

NAVAJO
COMMUNICATIONS
A *frontier* Citizens Communications Company

An additional copy of this amended filing is also enclosed. Please stamp this copy received and return it in the enclosed stamped, self-addressed envelope.

<u>Please return approved stamped tariff sheets to:</u>
Frontier Communications
Linda Saldaña
P.O. Box 340
Elk Grove, CA 95759

Please direct any questions or notifications of action taken on this amended tariff filing to Charlie Born at (916) 686-3570, or P.O. Box 340, Elk Grove, CA 95759.

Sincerely,

Charles E. Born
Manager, Government & External Affairs

CEB: lms
Enclosures

ACCESS SERVICE

2.   General Regulations (Cont'd)

   2.3   Obligations of the Customer (Cont'd)

      2.3.11   Identification and Rating of VoIP-PSTN Traffic [1]   (N)

         (A)   Scope

           (1)   VoIP-PSTN Traffic is defined as traffic exchanged between the Telephone Company end user and the customer in time division multiplexing ("TDM") format that originates and/or terminates in Internet protocol ("IP") format. This section governs the identification of VoIP-PSTN Traffic that is required to be compensated at interstate access rates by the Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90, etc., FCC Release No. 11-161 (Nov. 18, 2011) ("FCC Order"). Specifically, this section establishes the method of separating such traffic (referred to in this tariff as "Relevant VoIP-PSTN Traffic") from the customer's traditional intrastate access traffic, so that such Relevant VoIP-PSTN Traffic can be billed in accordance with the FCC Order.

           (2)   This section will be applied to the billing of switched access charges to a customer that is a local exchange carrier only to the extent that the customer has also implemented billing of interstate access charges for Relevant VoIP-PSTN Traffic in accordance with the FCC Order.

[1] On April 25, 2012 the FCC released its Second Order on Reconsideration of the USF/ICC Transformation Order. Based on this Order, the tariff language in this section will also apply to originating access for VoIP-PSTN traffic for the period of December 29, 2011 through the effective date of the FCC's April 25th Order, which will occur 45 days after publication of the Order in the Federal Register.   (N)

Continued

ACCESS SERVICE

2. General Regulations (Cont'd)

2.3 Obligations of the Customer (Cont'd)

2.3.11 Identification and Rating of VoIP-PSTN Traffic (N)

(B) Rating of VoIP-PSTN Traffic

The Relevant VoIP-PSTN Traffic identified in accordance with this tariff section will be billed at rates equal to the Telephone Company's applicable tariffed interstate switched access rates as specified in the Telephone Company's applicable Federal Access Tariff.

(C) Calculation and Application of Percent-VoIP-Usage Factor

The Telephone Company will determine the number of Relevant VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under subsection (B), above, by applying a Percent VoIP Usage ("PVU") factor to the total terminating intrastate access MOU received by The Telephone Company from the customer. The PVU will be derived and applied as follows:

(1) The customer will calculate and furnish to the Telephone Company a factor (the "PVU") representing the percentage of the total intrastate access MOU that the customer terminates to the Telephone Company in the State, that is sent to the Telephone Company and that originated in IP format. This PVU shall be based on information such as traffic studies, actual call detail, or other relevant and verifiable information. (N)

Continued

DATE ISSUED: May 9, 2012   EFFECTIVE DATE: February 15, 2012
Kenneth Mason
Vice President – Government & Regulatory Affairs
Citizens Communications Company
180 S. Clinton Ave.
Rochester, NY 14646